



3754

Atty. Dkt. No. 040014-0101

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Walsh et al.

**Title:** Paint Container

Appl. No.: 10/006,985

Filing Date: 12/05/2001

Examiner: Unknown

Art Unit: 3754

<b>CERTIFICATE OF MAILING</b>	
<p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on the date below.</p>	
<p><u>Kristine Lancelle</u>            (Printed Name)</p>	
 (Signature)	
<p>10-18-02            (Date of Deposit)</p>	

**PRELIMINARY AMENDMENT TRANSMITTAL**

RECEIVED

Commissioner for Patents  
Box NON-FEE AMENDMENT  
Washington, D.C. 20231

Sir:

Transmitted herewith is an amendment in the above-identified application.

- Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a Small Entity statement previously submitted.
- Small Entity statement is enclosed.
- The fee required for additional claims is calculated below:

Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Additional Claims Fee
Total Claims: <u>35</u>	<u>—</u>	<u>35</u> = <u>0</u>	x \$18.00	= \$0.00
Independents: <u>5</u>	<u>—</u>	<u>5</u> = <u>0</u>	x \$84.00	= \$0.00
First presentation of any Multiple Dependent Claims:			+ \$280.00	= \$0.00
CLAIMS FEE TOTAL:				= \$0.00

[ ] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/>	Extension for response filed within the first month:	\$110.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$400.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the third month:	\$920.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,440.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$1,960.00	\$0.00
	EXTENSION FEE TOTAL:		\$0.00
	CLAIMS AND EXTENSION FEE TOTAL:		\$0.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):		\$0.00
	TOTAL FEE:		\$0.00

Please charge Deposit Account No. 06-1447 in the amount of \$0.00. A duplicate copy of this transmittal is enclosed.

A check in the amount of \$0.00 is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

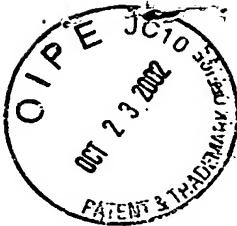
Respectfully submitted,

Date 10/18/02

By KDL

FOLEY & LARDNER  
777 East Wisconsin Avenue  
Milwaukee, Wisconsin 53202-5367  
Telephone: (414) 297-5772  
Facsimile: (414) 297-4900

Keith D. Lindenbaum  
Attorney for Applicant  
Registration No. 40,365



Atty. Dkt. No. 040014-0101

#6 Pre Amds  
10/29/02  
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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<u>Kristine Lancelle</u> (Signature)	
10-18-02 (Date of Deposit)	

**PRELIMINARY AMENDMENT**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

**RECEIVED**  
OCT 28 2002  
TECHNOLOGY CENTER R3700

Please amend the application as follows:

**In the Specification:**

Please amend the specification as follows:

Page 18, replace paragraph number [0064] with the following in accordance with 37 CFR § 1.121. A marked up version showing the changes in the specification is attached.

**[0064]** Further modifications may be made in the design, arrangement and combination of the elements without departing from the scope of the invention as expressed in the appended claims. For example a top member including one or more of the features discussed above such as the spout, reclamation structure, paint brush support, cap support, and others may be integrally formed with the body member or may be fastened to the container as a separate component. Additionally, the container may include transparent areas to allow the user to see the contents of the container. Further the cap attachment may include a transparent area to indicate whether the cap is securely attached to the container to prevent paint from accidentally being spilled. Although the container has been referred to as a paint container other liquids are also